



10-15-04

1654  
JPW

Express Mail Label No. \_\_\_\_\_ Dated: \_\_\_\_\_

Docket No.: 01946/100D864-US1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Gschneidner et al.

Confirmation No. 7883

Application No.: 09/762,067

Art Unit: 1654

Filed: August 3, 2001

Examiner: Maury A. Audet

For: COMPOUNDS AND COMPOSITIONS FOR  
DELIVERING ACTIVE AGENTS

**AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450


Dear Sir:

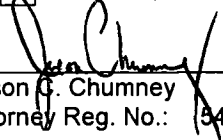
**INTRODUCTORY COMMENTS**

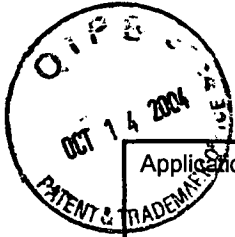
In response to the Office Action dated July 14, 2004, please amend the above-identified U.S. patent application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 14 of this paper.

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<b>AMENDMENT TRANSMITTAL LETTER</b>			Docket No. 01946/100D864-US1				
Application No. 09/762,067		Filing Date August 3, 2001		Examiner Maury A. Audet		Art Unit 1654	
Applicant(s): Gschneidner et al.							
Invention: COMPOUNDS AND COMPOSITIONS FOR DELIVERING ACTIVE AGENTS							
<b>TO THE COMMISSIONER FOR PATENTS</b>							
Transmitted herewith is an amendment in the above-identified application.							
The fee has been calculated and is transmitted as shown below.							
<b>CLAIMS AS AMENDED</b>							
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate			
Total Claims	85	- 85 =		x			
Independent Claims	1	- 3 =		x			
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>							
Other fee (please specify):							
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>							
<input checked="" type="checkbox"/> Large Entity <span style="margin-left: 200px;"><input type="checkbox"/> Small Entity</span>							
<input checked="" type="checkbox"/> No additional fee is required for this amendment.							
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____.							
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.							
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.							
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>04-0100</u> as described below. A duplicate copy of this sheet is enclosed.							
<input checked="" type="checkbox"/> Credit any overpayment.							
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.							
 _____ Jason C. Chumney Attorney Reg. No.: 54,781				Dated: <u>October 14, 2004</u>			
DARBY & DARBY P.C. P.O. Box 5257 New York, New York 10150-5257 (212) 527-7783							
Express Mail Label No. _____				Dated: _____			



Application No. (if known): 09/762,067

Attorney Docket No.: 01946/100D864-US1

## Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. **EL 996119600 US** in an envelope addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on October 14, 2004  
Date

  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Pat Campbell  
Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Amendment in Response to Non-Final Office Action (14 pages);  
Amendment Transmittal Letter (1 page); and  
Postcard.

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